

May 24, 2019

Emerald Industries, LLC
Attention: Seth Jeffs
16526 West 78th St. Suite 131
Eden Prairie, MN 55346

Parcel ID: 51-126-2100

Dear Mr. Jeffs,

Land Services recently conducted a site visit to your Pike Lake property to evaluate compliance with your recent Wetland Exemption and your Cook County Grade and Fill permit. I was accompanied by Mitch Travis, Cook County's Wetland and Land Use authority.

I can summarily suggest that the disruption to the landscape was pronounced and has occurred outside of all relevant permits, established by the Cook County Zoning Ordinance and the Cook County Stormwater Ordinance (#51).

Specifically, we noted the following issues/concerns/non-compliances:

1. Total site impacts exceed 1-acre, invoking the National Pollution Discharge Elimination System (NPDES) permitting authority of the Minnesota Pollution Control Agency (MPCA);
2. Total site impacts exceed 1-acre and/or 1,000 Cubic Yards of fill or excavation, requiring compliance with the Cook County Stormwater Ordinance and specifically, Section 5.1 of said Ordinance;
3. Improperly installed silt fence;
4. Lack of site-wide erosion and sediment control measures;
5. Failure to isolate wetland resources from upslope sediment and/or hydric impacts;
6. Lack of slope breaks, filtering devices and other stabilization measures in excavated ditches;
7. Failure to separate and stockpile topsoil resources;
8. Out-letting disturbed soils into potential wetland resources;
9. Failure to temporarily seed and mulch disturbed areas;
10. No "spill kits" were observed on the site;
11. Storage of equipment, fuel, and other hydrocarbons in a wetland;
12. Wetland impacts exceeded the permitted wetland Exemption allocation; and,
13. Driveway construction estimates have been significantly exceeded;

Moving forward, you must **IMMEDIATELY CEASE AND DESIST ALL SITE ACTIVITIES** until such time that comprehensive erosion and sediment controls are established and site stabilization is demonstrated. As a component of this **CEASE AND DESIST**, you may also be responsible for wetland resource delineations and/or (other) engineer-based site mitigation.

These are serious matters, even more so given the emphasis Cook County places on the conservation our wetland resources. Nevertheless, permit compliance remains the responsibility of the property

owner and we will expect impacts to be repaired in a timely manner. In addition, you will be responsible for the submittal of NPDES and Cook County Large Site Stormwater permits.

We will be happy to consult with you as you move forward with your property ownership, but these consultations must occur before work on the site continues. Please also know that Cook County will be requesting a Technical Evaluation Panel (TEP) site review to evaluate actual and potential site and resource impacts, including the involvement of the State of Minnesota Board of Soil and Water Resources (BWSR) and the United States Army Corp of Engineers (USACE). Given observed site impacts, Cook County will expedite this review process.

If you have any questions or comments, please do not hesitate to contact me at: (218)387-3635.

Respectfully,

William Lane
Cook County Land Services
Planning and Zoning Administrator